

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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JANET BURTON, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

iYOGI, INC., a New York corporation,

Defendant.
-----X

Case No.: 1:13-cv-06926-DAB

**STIPULATED REQUEST TO EXTEND BRIEFING SCHEDULE ON
DEFENDANT'S MOTION TO DISMISS AND ~~PROPOSED~~ ORDER**

Plaintiff Janet Burton ("Plaintiff" or "Burton") and Defendant iYogi, Inc. ("Defendant" or "iYogi"), pursuant to Fed. R. Civ. P. 6(b) and this Court's Individual Practices, hereby respectfully request that the Court enter an Order extending the current briefing schedule on Defendant's pending motion to dismiss such that Plaintiff's deadline to oppose the motion is due no later than January 13, 2014 and Defendant's reply in support of the motion is due no later than January 27, 2014. In support of this stipulated request, the Parties state as follows:

WHEREAS, on September 30, 2013, Plaintiff filed her Class Action Complaint and Jury Demand ("Complaint") (Dkt. 1);

WHEREAS, on December 16, 2013, Defendant filed its motion to dismiss Plaintiff's Class Action Complaint pursuant to Rule 12(b)(6) (Dkts. 19, 20);

WHEREAS, pursuant to Local Civil Rule 6.1(b)(2), Plaintiff's opposition to the motion is currently due by December 30, 2013 and Defendant's reply in support of the same is due by January 6, 2014;

WHEREAS, Plaintiff's counsel has conferred with counsel for Defendant, and the parties stipulate and agree, subject to Court approval, to extend Plaintiff's deadline to file her opposition to Defendant's motion to dismiss up to and including January 13, 2014 and Defendant's deadline to file its reply in support of its motion up to and including January 27, 2014;

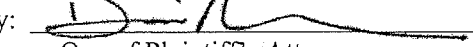
WHEREAS, the requested extension will not affect any pending deadlines or hearings and the relief requested is not sought for any improper purpose;

NOW THEREFORE, the Parties hereby stipulate and agree, subject to Court approval, that Plaintiff's deadline to file her response in opposition to Defendant's motion to dismiss shall be extended up to and including January 13, 2014 and Defendant's deadline to file its reply in support of the motion shall be extended up to and including January 27, 2014.

Respectfully submitted,

JANET BURTON, individually and on behalf of
all others similarly situated,

Dated: December 23, 2013

By: 
One of Plaintiff's Attorneys

RAFEY S. BALABANIAN (*Pro hac vice*)
(rbalabanian@edelson.com)
BENJAMIN H. RICHMAN (*Pro hac vice*)
(brichman@edelson.com)
CHANDLER R. GIVENS (*Pro hac vice*)
(cgivens@edelson.com)
DAVID I. MINDELL (*Pro hac vice*)
(dmindell@edelson.com)
EDELSON P.C.
350 North LaSalle, Suite 1300
Chicago, Illinois 60654
Telephone: (312) 589-6370
Facsimile: (312) 589-6378

LEE A. WEISS
(lweiss@bernsweiss.com)
BERNS WEISS LLP
585 Stewart Avenue, Suite L-20
Garden City, New York 11530
Telephone: (516) 501-9640
Facsimile: (818) 999-1500

IYOGI, INC.,

Dated: December 23, 2013

By:


One of Defendant's Attorneys

JAYANT W. TAMBE
(jtambe@jonesday.com)
THOMAS E. LYNCH
(telynch@jonesday.com)
PAUL BARTHOLOMEW GREEN
(bartgreen@jonesday.com)
JONES DAY
222 East 41st Street
New York, New York 10017
Telephone: (212) 326-3939
Facsimile: (212) 755-7306

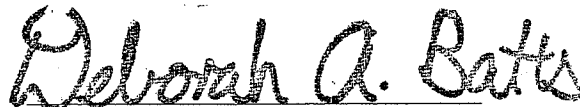
~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

Plaintiff's deadline to file her response in opposition to Defendant's motion to dismiss is extended up to and including January 13, 2014 and Defendant's deadline to file its reply in support of its motion is extended up to and including January 27, 2014.

IT IS SO ORDERED.

Dated: January 2, 2014



HONORABLE DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

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